

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 2017-1907

University of California

v.

Broad Institute, Inc.

DOCKETING STATEMENT

This Docketing Statement must be completed by all counsel and filed with the court within 14 days of the date of docketing. When the United States or its officer or agency is a party, this Docketing Statement must be completed by all counsel and filed with the court within 30 days of docketing. All questions must be answered or the statement will be rejected.

Name of the party you represent The Broad Institute, Inc.; Massachusetts Institute of Technology; President and Fellows of Harvard College

Party is (select one) ☐ Appellant/Petitioner ☐ Cross-Appellant
☒ Appellee/Respondent ☐ Intervenor

Tribunal appealed from and Case No. USPTO, PTAB in Interference No. 106,048

Date of Judgment/Order February 15, 2017 Type of Case Patent Interference

Relief sought on appeal Affirmance

Relief awarded below (if damages, specify) Affirmance of the February 15, 2017 Judgment of the PTAB

Briefly describe the judgment/order appealed from The Patent Trial and Appeal Board granted Appellees' motion of no interference-in-fact.

Nature of judgment (select one)

- ☒ Final Judgment, 28 USC 1295
☐ Rule 54(b)
☐ Interlocutory Order (specify type) _____
☐ Other (explain; see Fed. Cir. R. 28(a)(5)) _____

FORM 26. Docketing Statement**Form 26****Rev. 10/16**

Name and docket number of any related cases pending before this court plus the name of the writing judge if an opinion was issued.

If none, please state none.

None

Brief statement of the issues to be raised on appeal Not Applicable

Have there been discussions with other parties relating to settlement of this case? ☒ Yes ☐ No If "yes," when were the last such discussions?

☐ Before the case was filed below?

☒ During the pendency of the case below?

☐ Following the judgment/order appealed from?

If "yes," were the settlement discussions mediated? ☐ Yes ☒ No

If they were mediated, by whom?

Do you believe that this case may be amenable to mediation? ☒ Yes ☐ No

Please explain why you believe the case is or is not amenable to mediation.

Broad remains open to settlement discussions with Appellants.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

I certify that I filed this Docketing Statement with the Clerk of the United States Court of Appeals for the Federal Circuit and served a copy on counsel of record, this

25th day of April, 2017

by: Electronic Means upon all counsel of record

(manner of service)

Steven R. Trybus

/s/ Steven R. Trybus

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Signature of Counsel

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